

Fred W. Schwinn (SBN 225575)  
CONSUMER LAW CENTER, INC.  
12 South First Street, Suite 1014  
San Jose, California 95113-2418  
Telephone Number: (408) 294-6100  
Facsimile Number: (408) 294-6190  
Email Address: fred.schwinn@sjconsumerlaw.com

Attorney for Plaintiff  
CARLOS H. PEREZ

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

CARLOS H. PEREZ,

Plaintiff,

v.

GMAC MORTGAGE USA CORPORATION,  
A/K/A GMAC MORTGAGE, LLC, a Delaware  
corporation; MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC., a  
Delaware corporation; EXECUTIVE  
TRUSTEE SERVICES, LLC, a Delaware  
limited liability company; GREENPOINT  
MORTGAGE FUNDING, INC., a New York  
corporation; ANDRUS & ASSOCIATES,  
INC., a California corporation; PAUL RAY  
ANDRUS, individually and in his official  
capacity; HOMECOMINGS FINANCIAL,  
LLC, a Delaware limited liability company;  
COUNTRYWIDE HOME LOANS, INC., a  
New York corporation; SOUTH PACIFIC  
FINANCIAL CORPORATION, a California  
corporation; RESIDENTIAL MORTGAGE  
CAPITAL, D/B/A FIRST SECURITY LOAN;  
a California corporation; JAMES JOHN  
CHAPMAN, individually and in his official  
capacity; LUIS G. BARRIOS, individually and  
in his official capacity; ELIZABETH P.  
CAMPOS, individually and in her official  
capacity; and DOES 1 through 20, inclusive,

Defendants.

Case No. C08-01972-JW-HRL

**STIPULATION OF DISMISSAL  
AND [PROPOSED] ORDER**

Fed. R. Civ. P. 41(a)(1)

1 Pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiff, CARLOS H. PEREZ, and Defendants, GMAC  
2 MORTGAGE USA CORPORATION, A/K/A GMAC MORTGAGE, LLC, EXECUTIVE TRUSTEE  
3 SERVICES, LLC, GREENPOINT MORTGAGE FUNDING, INC., HOMECOMINGS FINANCIAL,  
4 LLC, SOUTH PACIFIC FINANCIAL CORPORATION, RESIDENTIAL MORTGAGE CAPITAL,  
5 D/B/A FIRST SECURITY LOAN and JAMES JOHN CHAPMAN, stipulate, and the Court hereby  
6 orders, as follows:  
7

8 1. The dispute between the stipulating parties has been settled, therefore, the claims  
9 asserted by Plaintiff, CARLOS H. PEREZ, against Defendants, GMAC MORTGAGE USA  
10 CORPORATION, A/K/A GMAC MORTGAGE, LLC, EXECUTIVE TRUSTEE SERVICES, LLC,  
11 GREENPOINT MORTGAGE FUNDING, INC., HOMECOMINGS FINANCIAL, LLC, SOUTH  
12 PACIFIC FINANCIAL CORPORATION, RESIDENTIAL MORTGAGE CAPITAL, D/B/A FIRST  
13 SECURITY LOAN and JAMES JOHN CHAPMAN, in the above-captioned proceeding are hereby  
14 dismissed, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1).  
15

16 2. Defendant, COUNTRYWIDE HOME LOANS, INC., was previously dismissed  
17 from this case, with prejudice, on December 12, 2008. (Doc. 87).  
18

19 3. Defendants, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.,  
20 ANDRUS & ASSOCIATES, INC., PAUL RAY ANDRUS, LUIS G. BARRIOS and ELIZABETH P.  
21 CAMPOS, have not appeared in this case. Plaintiff, CARLOS H. PEREZ, hereby dismisses this case  
22 with regard to Defendants, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.,  
23 ANDRUS & ASSOCIATES, INC., PAUL RAY ANDRUS, LUIS G. BARRIOS and ELIZABETH P.  
24 CAMPOS, without prejudice, pursuant to Fed. R. Civ. P. 41(a)(1).  
25

26 4. All parties in this case having been dismissed, the Clerk of the Court will close this  
27 case.  
28

1 IT IS SO STIPULATED.

2 Dated: August 12, 2009

CONSUMER LAW CENTER, INC.

3  
4 By: /s/ Fred W. Schwinn

Fred W. Schwinn, Esq.

Attorney for Plaintiff

Carlos H. Perez

5  
6  
7 Dated: August 12, 2009

LOCKE LORD BISSELL & LIDDELL, LLP

8  
9 By: /s/ James Matthew Goodin

James Matthew Goodin, Esq.

Attorneys for Defendants

GMAC Mortgage USA Corp.; Executive

Trustee Service, LLC; and Homecomings

Financial LLC

10  
11  
12  
13  
14 Dated: August 12, 2009

WRIGHT FINLAY & ZAK, LLP

15  
16 By: /s/ Robin P. Wright

Robin P. Wright, Esq.

Attorneys for Defendant

South Pacific Financial Corporation

17  
18  
19 Dated: August 12, 2009

RAGGHIANI FREITAS, LLP

20  
21 By: /s/ Robert F. Epstein

Robert F. Epstein, Esq.

Attorneys for Defendants

Residential Mortgage Capital and James

John Chapman

1 Dated: August 12, 2009

SEVERSON & WERSON, APC

2  
3 By: /s/ Sunny S. Huo

Sunny S. Huo, Esq.

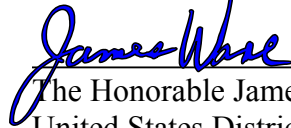
4 Attorneys for Defendant

5 GreenPoint Mortgage Funding, Inc.

6 THE FOREGOING STIPULATION  
7 IS APPROVED AND IS SO ORDERED.

8 The Court terminates any remaining deadlines, hearings or motions. The Clerk shall close this file.

9 Dated: August 17, 2009



The Honorable James Ware  
United States District Judge